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First Named Inventor	REUBEN BAHAR
Art Unit	3693
Examiner Name	Borlinghaus, Jason M.
Attorney Docket Number	6589-A-3

ENCLOSURES *(Check all that apply)*

- ☐ Fee Transmittal Form
  - ☐ Fee Attached
- ☐ Amendment/Reply
  - ☐ After Final
  - ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Reply to Missing Parts/ Incomplete Application
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- ☐ Drawing(s)
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- ☑ Appeal Communication to TC **(Appeal Notice, Brief, Reply Brief)**
- ☐ Proprietary Information
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- ☑ Other Enclosure(s) (please Identify below):
  Corrected Brief of Appellant

Remarks

The appeal brief fee was already paid, but please charge any other fees or deficiencies to Deposit Account No. 03-0088.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Cahill, von Hellens & Glazer, P.L.C.		
Signature	Marvin A. Glazer		
Printed name	Marvin A. Glazer		
Date	August 9, 2007	Reg. No.	28,801

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPL. NO.: 09/822,732

APPLICANTS: REUBEN BAHAR

FILED: 03/30/2001

FOR: "METHOD AND SYSTEM FOR AUCTIONING BAD DEBTS UTILIZING ASSORTING ARRANGEMENT BASED ON THE GEOGRAPHIC LOCATION WHERE JURISDICTION IS PRESENT OVER THE DEBTOR"

Art Unit 3693

Examiner: Borlinghaus, Jason M.

Confirmation No. 7238

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Marvin A. Glazer — August 9, 2007 (Date)

CORRECTED BRIEF OF APPELLANT

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Corrected Brief is in response to the Office communication mailed July 20, 2007 ("Notification of Non-Compliant Appeal Brief"), and is in further support of the Notice of Appeal

filed in the Patent Office by the above-identified Applicant/Appellant on April 12, 2007, appealing the final rejection of the Examiner dated April 5, 2007, finally rejecting claims 1-6, 8-11, 13-19, 21-25, 28-38, 40-45, 47, 50 and 55-64. Applicant already paid the fee ($250.00) for filing the Appeal Brief, as set forth in § 41.20(b)(2) for a small entity, with the original Appeal Brief forwarded to the Patent Office on June 12, 2007. This Corrected Brief sets forth the authorities and arguments on which Appellant relies to maintain this appeal. A Claims Appendix, setting forth the text of the claims involved in this appeal, is attached hereto. Also attached are appendices for evidence and related proceedings. Also, as required by the Notification of Non-Compliant Appeal Brief mailed on July 20, 2007, Applicant has revised Section 5. below ("Summary of Claimed Subject Matter") to more specifically refer to the specification by line numbers.

1. Real Party In Interest.

The real party in interest is the applicant/inventor, namely, Reuben Bahar of West Hills, California. The claimed invention has not been assigned or licensed.

2. Related Appeals and Intereferences.

None.

3. Status of Claims.

None of the pending claims are allowed or objected to. All of claims 1-64 are either rejected and being appealed, or have been canceled, in accordance with the listing below:

Claims	Status
1-5	Rejected and being appealed.
6*	Rejected and being appealed.
7.	Canceled.
8*	Rejected and being appealed.

9-10	Rejected and being appealed.
11*	Rejected and being appealed.
12.	Canceled.
13-15*	Rejected and being appealed.
16-18	Rejected and being appealed.
19	Rejected and being appealed.
20.	Canceled.
21	Rejected and being appealed.
22*	Rejected and being appealed.
23	Rejected and being appealed.
24-25*	Rejected and being appealed.
26.	Canceled.
27.	Canceled.
28-38	Rejected and being appealed.
39.	Canceled.
40-45	Rejected and being appealed.
46.	Canceled.
47	Rejected and being appealed.
48.	Canceled.
49.	Canceled.
50	Rejected and being appealed.
51.	Canceled.
52.	Canceled.
53.	Canceled.
54.	Canceled.
55-64	Rejected and being appealed.

* Those claim numbers listed above, and designated with an asterisk ("*") were, in fact, rejected in the final Office Action mailed on April 5, 2007. However, the Patent Examiner did not indicate the status of those claims on the Office Action Summary Sheet (the second page) of the final Office Action. As a result, these claim numbers were inadvertently omitted from Applicant's Notice of Appeal; Applicant intended to appeal from the rejection of all rejected claims; when drafting the Notice of Appeal, Applicant's attorney was misled by the error in the Office Action Summary Sheet.

4. Status of Amendments.

There have been no amendments filed subsequent to the issuance of the final rejection mailed on April 5, 2007.

5. Summary of Claimed Subject Matter.

Applicant has set forth below a concise explanation of the subject matter defined in each of the independent claims (1, 31, 32, 33, 38, 45, 47 and 55) involved in the appeal, including references to the specification by page and line number, and to the drawings by reference characters, where appropriate.

Claim 1:

Method claim 1 recites a method of auctioning bad debts (e.g., bad debt item 1 designated by reference number 29 in Figs. 3 and 4, or lot package 1 designated by reference number 33 in Figs. 3 and 4) to a plurality of clients (e.g., the participants designated by reference numerals 1, 4 and 7 in Fig. 1); see also Applicant's specification at page 16, line 23, to page 17, line 20. The recited method includes the step of placing select information relating to at least one bad debt (e.g., item 29 in Figs. 3 and 4) in on an online auction forum (e.g., the auction forum provided by remote

host system 14 in Fig. 1); see Applicant's specification, page 7, lines 21-26, and page 8, lines 16-19. The select information includes at least one distinct bad debt item (e.g., item 29 in Figs. 3 and 4) to be displayed on a bidding site (e.g., item 17 in Fig. 3) of the online auction forum; see Applicant's specification, page 13, lines 3-5 and lines 13-15. The method of claim 1 also includes the step of establishing at least one bidding site (e.g., item 17 in Fig. 3) on the online auction forum (e.g., the auction forum provided by remote host system 14 in Fig. 1), wherein the bidding site is associated with a database (e.g., reference number 18 in Fig. 1; and reference numbers 46, 49 and 52 in Fig. 5), wherein the database includes the aforementioned bad debt item; see Applicant's specification at page 20, lines 22-25, and page 21, lines 6-10. The method of claim 1 includes the further step of classifying the bad debt item (e.g., item 29 in Figs. 3 and 4) based on a geographic territory where the corresponding debtor resides (e.g., at page 9, lines 4-7, of Applicant's specification, it is stated that "[s]elect information can consist of data that is determined to be informative and suitable for display on the online auction forum", including "the geographic location where the debtor is currently situated ..."; at page 12, lines 12-14, of Applicant's specification, it is stated that, preferably, "the geographic locality where the bad debt item is classified into is the territory that the debtor is currently domiciled in."). Method claim 1 additionally recites the step of displaying the bad debt item on said bidding site in accordance with such geographic territory (in this regard, Applicant's specification states, at page 13, lines 8-12, that "the designated location bidding site 17 will preferably display bad debt items that belong to debtors who are under the jurisdiction of the same locality as that of the selected designated location bidding site.").

Claim 31:

System claim 31 recites a system for selling bad debts (e.g., bad debt item 1 designated by reference number 29 in Figs. 3 and 4, or lot package 1 designated by reference number 33 in Figs. 3 and 4), including a remote host system (item 14 in Fig. 1) connected to a communications network (e.g., Internet 11 in Fig. 1); see generally Applicant's specification, page 7, lines 21-26. The recited remote host system includes a central processor (20 in Fig. 1) for processing data, a data storage element (21 in Fig. 1 for storing data), and software (15 in Fig. 1) installed for execution on the central processor (20); see Applicant's specification, page 10, lines 17-24. The remote host system also includes a database (18 in Fig. 1) associated with at least one sales site module (17 in Fig. 1); see Applicant's specification, page 20, lines 22-25, and page 21, lines 6-10. The database (18) includes at least one bad debt item (e.g., bad debt item 1 designated by reference number 29 in Figs. 3 and 4, or lot package 1 designated by reference number 33 in Figs. 3 and 4) accessible on the associated sales site module (17) in accordance with a geographic territory where the debtor resides (e.g., at page 9, lines 4-7, of Applicant's specification, it is stated that "[s]elect information can consist of data that is determined to be informative and suitable for display on the online auction forum", including "the geographic location where the debtor is currently situated ..."; at page 12, lines 12-14, of Applicant's specification, it is stated that, preferably, "the geographic locality where the bad debt item is classified into is the territory that the debtor is currently domiciled in."). The aforementioned software (15) is configured to run multiple, concurrent, and distinct client sessions (see page 14, line 21, to page 15, line 1, of Applicant's specification, which explains that "each designated location bidding site ... will display a separate and distinct bidding phase interval that runs simultaneously with other bidding phase intervals running on other

designated location bidding sites") on the remote host system (14). The system of claim 31 further includes an interface element (remote interface 12 in Fig. 1) for providing public access to the aforementioned software (15), wherein a plurality of clients (1, 4 and 7 in Fig. 1) may each participate in an online session of such software, running on the remote host system (14), from client systems (2, 5, and 8 in Fig. 1) connected to the communications network (11), and wherein each of the plurality of clients (1, 4 and 7) may be able to purchase the bad debt item (29/33) available for sale on the associated sales site (17); in this regard, see Applicant's specification at page 11, lines 2-5 and lines 8-15, and also page 12, line 25, to page 13, line 5.

Claim 32:

Method claim 32 recites a method of outright selling bad debts (e.g., bad debt item 1 designated by reference number 29 in Figs. 3 and 4, or lot package 1 designated by reference number 33 in Figs. 3 and 4) including the step of placing select information relating to at least one bad debt (e.g., item 29 in Figs. 3 and 4) on an online sales forum (e.g., the sales forum provided by remote host system 14 in Fig. 1); see Applicant's specification at page 27, lines 6-12, along with page 7, lines 21-26 and page 8, lines 16-19. The select information includes at least one distinct bad debt item (e.g., item 29 in Figs. 3 and 4) to be displayed on a sales site (e.g., item 17 in Fig. 3) of the online sales forum; see Applicant's specification at page 13, lines 3-5 and lines 13-15. The method of claim 32 also includes the step of establishing at least one sales site (e.g., item 17 in Fig. 3) on the online sales forum (e.g., the sales forum provided by remote host system 14 in Fig. 1), wherein the sales site is associated with a database (e.g., reference number 18 in Fig. 1; and reference numbers 46, 49 and 52 in Fig. 5), and wherein the database includes the aforementioned

bad debt item; see Applicant's specification, page 20, lines 22-25, and page 21, lines 6-10. The method of claim 32 further includes the step of classifying the bad debt item (e.g., item 29 in Figs. 3 and 4) based on a geographic territory where the corresponding debtor resides (e.g., at page 9, lines 4-7, of Applicant's specification, it is stated that "[s]elect information can consist of data that is determined to be informative and suitable for display on the online auction forum", including "the geographic location where the debtor is currently situated ..."; at page 12, lines 12-14, of Applicant's specification, it is stated that, preferably, "the geographic locality where the bad debt item is classified into is the territory that the debtor is currently domiciled in."). Method claim 32 also includes the step of displaying the bad debt item on the sales site in accordance with such geographic territory (in this regard, Applicant's specification states, at page 13, lines 8-12, that "the designated location bidding site 17 will preferably display bad debt items that belong to debtors who are under the jurisdiction of the same locality as that of the selected designated location bidding site.").

Claim 33:

Claim 33 recites a computer-assisted method of offering bad debts (e.g., bad debt item 1 designated by reference number 29 in Figs. 3 and 4, or lot package 1 designated by reference number 33 in Figs. 3 and 4) for sale, including the step of compiling information relating to at least one bad debt (e.g., Applicant's specification states, at page 6, lines 1-5, that the "... data for each bad debt can consist of select information pertaining to the bad debt that is determined to be informative and suitable for display on the auction forum and comprises a distinct bad debt item."). Each bad debt is associated with a particular debtor (e.g., page 7, line 26, to page 8, line 2, of

Applicant's specification explains that "a client can locate, bid for, and purchase bad debts that may be collected in a territorial district that has jurisdiction over the debtor"). The compiled information includes a geographical location wherein the associated debtor resides (e.g., at page 9, lines 4-7, of Applicant's specification, it is stated that "[s]elect information can consist of data that is determined to be informative and suitable for display on the online auction forum", including "the geographic location where the debtor is currently situated ..."; at page 12, lines 12-14, of Applicant's specification, it is stated that, preferably, "the geographic locality where the bad debt item is classified into is the territory that the debtor is currently domiciled in.").

The computer-assisted method of claim 33 also includes the step of storing compiled information relating to the at least one bad debt in a computerized database (e.g., reference number 18 in Fig. 1; and reference numbers 46, 49 and 52 in Fig. 5). Method claim 33 further includes the step of allowing a potential purchaser of bad debts to specify at least one geographical location of interest (e.g., page 11, lines 22-24, of Applicant's specification explains that "[s]election menu 16 allows each of the clients 1,4, and 7 to choose a particular geographic locality from which to view and/or bid on bad debts."). In addition, method claim 33 includes the step of locating bad debts stored in the computerized database (e.g., reference number 18 in Fig. 1; and reference numbers 46, 49 and 52 in Fig. 5) for which the geographical location specified by the potential purchaser corresponds with the stored geographical location wherein said associated debtor resides (in this regard, Applicant's specification, at page 12, lines 3-6, states that "[u]pon clicking the select button 27, the client will be taken to the 'Los Angeles bidding site', which only displays bad debt items belonging to debtors who are under the jurisdiction of Los Angeles County."). Further, method claim 33 includes the step of providing the potential purchaser with information from the

computerized database (18 of Fig. 1; 46, 49 and 52 of Fig. 5) relating to a bad debt (e.g., item 29 in Figs. 3 and 4) for which the stored geographical location regarding the associated debtor corresponds to the geographical location specified by the potential purchaser (in this regard, Applicant's specification states, at page 13, lines 8-12, that "the designated location bidding site 17 will preferably display bad debt items that belong to debtors who are under the jurisdiction of the same locality as that of the selected designated location bidding site.").[1]

Claim 38:

Claim 38 recites a computer-assisted method of offering bad debts (e.g., bad debt item 1 designated by reference number 29 in Figs. 3 and 4, or lot package 1 designated by reference number 33 in Figs. 3 and 4) for sale, including the step of compiling information relating to a plurality of bad debts (e.g., Applicant's specification states, at page 6, lines 1-5, that the "... data for each bad debt can consist of select information pertaining to the bad debt that is determined to be informative and suitable for display on the auction forum and comprises a distinct bad debt item."). Each bad debt is associated with a corresponding debtor (e.g., page 7, line 26, to page 8, line 2, of Applicant's specification explains that "a client can locate, bid for, and purchase bad debts that may be collected in a territorial district that has jurisdiction over the debtor"). The compiled

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[1] In the course of preparing this Appeal Brief, Applicant first noted that the final step of claim 33 still refers to a "... geographical location wherein jurisdiction is present over the associated debtor", whereas the earlier steps recited in claim 33 were amended to recite a "... geographical location wherein said associated debtor resides". Applicant will seek to amend the final clause of claim 33 to refer to the "... geographical location wherein said associated debtor resides", perhaps by Amendment under Rule 312, provided that the Board reverses the final rejection of such claim under Section 103(a).

information includes a geographical location wherein the corresponding debtor resides (e.g., at page 9, lines 4-7, of Applicant's specification, it is stated that "[s]elect information can consist of data that is determined to be informative and suitable for display on the online auction forum", including "the geographic location where the debtor is currently situated ..."; at page 12, lines 12-14, of Applicant's specification, it is stated that, preferably, "the geographic locality where the bad debt item is classified into is the territory that the debtor is currently domiciled in."). The computer-assisted method of claim 38 also includes the step of storing compiled information relating to the plurality of bad debts (e.g., lot package 33 in Fig. 4) in a computerized database (e.g., reference number 18 in Fig. 1; and reference numbers 46, 49 and 52 in Fig. 5). Method claim 38 further includes the step of allowing a potential purchaser of bad debts to specify at least one geographical location of interest (page 11, lines 22-24, of Applicant's specification explains that "[s]election menu 16 allows each of the clients 1,4, and 7 to choose a particular geographic locality from which to view and/or bid on bad debts."). Method claim 38 also includes the step of locating bad debts stored in the computerized database for which the geographical location specified by the potential purchaser corresponds with the stored geographical location wherein the associated debtor resides (in this regard, Applicant's specification, at page 12, lines 3-6, states that "[u]pon clicking the select button 27, the client will be taken to the 'Los Angeles bidding site', which only displays bad debt items belonging to debtors who are under the jurisdiction of Los Angeles County.").

Method claim 38 further includes the step of providing the potential purchaser with information from the computerized database relating to a plurality of bad debts grouped as a package (e.g., lot package 33 in Fig. 3) wherein each of the packaged bad debts has a stored geographical location wherein the associated debtors reside corresponding to the geographical

location specified by the potential purchaser (in this regard, Applicant's specification states, at page 13, lines 8-12, that "the designated location bidding site 17 will preferably display bad debt items that belong to debtors who are under the jurisdiction of the same locality as that of the selected designated location bidding site.").

Claim 45:

Claim 45 recites a computer-assisted method of offering bad debts (e.g., bad debt item 1 designated by reference number 29 in Figs. 3 and 4, or lot package 1 designated by reference number 33 in Figs. 3 and 4) for sale , including the step of providing a computerized database (18 in Fig. 1) containing information (e.g., Applicant's specification states, at page 6, lines 1-5, that the "... data for each bad debt can consist of select information pertaining to the bad debt that is determined to be informative and suitable for display on the auction forum and comprises a distinct bad debt item.") relating to a plurality of bad debts (see, e.g., lot package 33 in Fig. 3) . Each bad debt is associated with a corresponding debtor (e.g., page 7, line 26, to page 8, line 2, of Applicant's specification explains that "a client can locate, bid for, and purchase bad debts that may be collected in a territorial district that has jurisdiction over the debtor"). The computerized database includes geographical information, for each associated debtor, indicating at least one territory wherein the associated debtor resides (e.g., at page 9, lines 4-7, of Applicant's specification, it is stated that "[s]elect information can consist of data that is determined to be informative and suitable for display on the online auction forum", including "the geographic location where the debtor is currently situated ..."; at page 12, lines 12-14, of Applicant's

specification, it is stated that, preferably, "the geographic locality where the bad debt item is classified into is the territory that the debtor is currently domiciled in.").

Method claim 45 further includes the step of allowing a potential purchaser of bad debts to specify at least one geographical territory of interest (page 11, lines 22-24, of Applicant's specification explains that "[s]election menu 16 allows each of the clients 1,4, and 7 to choose a particular geographic locality from which to view and/or bid on bad debts."). Method claim 45 also includes the step of locating bad debts stored in the computerized database for which the geographical territory specified by the potential purchaser corresponds with the territory wherein the associated debtor resides (in this regard, Applicant's specification, at page 12, lines 3-6, states that "[u]pon clicking the select button 27, the client will be taken to the 'Los Angeles bidding site', which only displays bad debt items belonging to debtors who are under the jurisdiction of Los Angeles County."). Method claim 45 further includes the step of providing the potential purchaser with information from the computerized database relating to at least one bad debt for which the territory wherein the associated debtor resides corresponds to the geographical territory specified by the potential purchaser (in this regard, Applicant's specification states, at page 13, lines 8-12, that "the designated location bidding site 17 will preferably display bad debt items that belong to debtors who are under the jurisdiction of the same locality as that of the selected designated location bidding site.").

Claim 47:

Claim 47 recited a method of marketing uncollected debts, each of which is associated with a corresponding debtor (e.g., page 7, line 26, to page 8, line 2, of Applicant's specification explains

that "a client can locate, bid for, and purchase bad debts that may be collected in a territorial district that has jurisdiction over the debtor"). Each of the corresponding debtors resides in one or more geographic territories (e.g., page 12, lines 12-14, of Applicant's specification states that, preferably, "the geographic locality where the bad debt item is classified into is the territory that the debtor is currently domiciled in."). Method claim 47 includes the step of gathering debt information about a plurality of such uncollected debts (e.g., Applicant's specification states, at page 6, lines 1-5, that the "... data for each bad debt can consist of select information pertaining to the bad debt that is determined to be informative and suitable for display on the auction forum and comprises a distinct bad debt item."). Method claim 47 further includes the step of gathering debtor residence information regarding geographic territories in which the debtor associated with each of such uncollected debts resides (e.g., at page 9, lines 4-7, of Applicant's specification, it is stated that "[s]elect information can consist of data that is determined to be informative and suitable for display on the online auction forum", including "the geographic location where the debtor is currently situated ..."; at page 12, lines 12-14, of Applicant's specification, it is stated that, preferably, "the geographic locality where the bad debt item is classified into is the territory that the debtor is currently domiciled in.").

Method claim 47 further includes the step of storing the gathered debt information and gathered debtor residence information in a computer storage element (i.e., in reference number 18 in Fig. 1; or in reference numbers 46, 49 and 52 in Fig. 5). Method claim 47 also includes the step of allowing a client to specify a geographic territory of interest (e.g., page 11, lines 22-24, of Applicant's specification states that "[s]election menu 16 allows each of the clients 1, 4, and 7 to choose a particular geographic locality from which to view and/or bid on bad debts."). In addition,

method claim 47 includes the step of providing the client with information from the computer storage element relating to at least one uncollected debt for which the corresponding debtor resides within the geographic territory specified by the client (in this regard, Applicant's specification, at page 12, lines 3-6, states that "[u]pon clicking the select button 27, the client will be taken to the 'Los Angeles bidding site', which only displays bad debt items belonging to debtors who are under the jurisdiction of Los Angeles County.").

Claim 55:

Claim 55 recites a method of offering bad debts (e.g., bad debt item 1 designated by reference number 29 in Figs. 3 and 4, or lot package 1 designated by reference number 33 in Figs. 3 and 4) for sale, and includes the step of compiling a plurality of bad debts (e.g., Applicant's specification states, at page 6, lines 1-5, that the "... data for each bad debt can consist of select information pertaining to the bad debt that is determined to be informative and suitable for display on the auction forum and comprises a distinct bad debt item."). Each bad debt is associated with a particular debtor (e.g., page 7, line 26, to page 8, line 2, of Applicant's specification explains that "a client can locate, bid for, and purchase bad debts that may be collected in a territorial district that has jurisdiction over the debtor"). Each of such debtors resides within at least one geographic territory (e.g., at page 9, lines 4-7, of Applicant's specification, it is stated that "[s]elect information can consist of data that is determined to be informative and suitable for display on the online auction forum", including "the geographic location where the debtor is currently situated ..."; at page 12, lines 12-14, of Applicant's specification, it is stated that, preferably, "the geographic

locality where the bad debt item is classified into is the territory that the debtor is currently domiciled in.").

The method of claim 55 includes the step of providing select information pertaining to at least one of such bad debts (e.g., Applicant's specification states, at page 6, lines 1-5, that the "... data for each bad debt can consist of select information pertaining to the bad debt that is determined to be informative and suitable for display on the auction forum and comprises a distinct bad debt item") to a remote host web site (e.g., item 13 in Fig. 1) connected to a communications network (e.g., Internet 11 in Fig.1). Claim 55 also includes the step of allowing a remote client (e.g., clients 1,4, and 7 in Fig. 1) to access said host web (13) site over a communications network (11). Claim 55 further includes the step of allowing the client to select at least one geographic territory (e.g., page 11, lines 22-24 of Applicant's specification explains that "[s]election menu 16 allows each of the clients 1,4, and 7 to choose a particular geographic locality from which to view and/or bid on bad debts."). Claim 55 also includes the step of providing the remote client (1, 4, 7 in Fig. 1) with information relating to at least one bad debt for which the associated debtor resides within the geographic territory selected by the remote client (in this regard, Applicant's specification, at page 12, lines 3-6, states that "[u]pon clicking the select button 27, the client will be taken to the 'Los Angeles bidding site', which only displays bad debt items belonging to debtors who are under the jurisdiction of Los Angeles County.").

6. Grounds of Rejection to be Reviewed on Appeal:

a. Did the Patent Examiner error in rejecting claims 1-5, 9-10, 16-18, 21, 23, 28-38, 40-45, 47, 50 and 55-64 as describing subject matter that would have been obvious to those skilled in the art under 35 U.S.C. Section 103(a) based upon Morris[2] in view of Brown[3]?

b. Did the Patent Examiner error in rejecting claims 6, 11, and 19 as describing subject matter that would have been obvious to those skilled in the art under 35 U.S.C. Section 103(a) based upon Morris and Brown in view of Rivkin[4]?

c. Did the Patent Examiner error in rejecting claims 8, 13-15, and 22 as describing subject matter that would have been obvious to those skilled in the art under 35 U.S.C. Section 103(a) based upon Morris and Brown in view of Keyes[5]?

d. Did the Patent Examiner error in rejecting claims 24 and 25 that would have been obvious to those skilled in the art under 35 U.S.C. Section 103(a) based upon Morris and Brown in view of Atkinson[6]?

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[2] U.S. Patent Publ. 2001/0034662 (Morris).

[3] Brown, James J., Judgment Enforcement. 2nd Ed., Aspen Publishers, Dec. 1, 1995.

[4] Rivkin, et al., Financial & Cross-Borders Litigation, International Financial Law Review, Euromoney Publications, July 1994.

[5] U.S. Pat. No. 6,456,983 (Keyes).

[6] U.S. Pat. Publ. No. 2001/0021923 (Atkinson).

7. **Argument.**

A. **The Cited Prior Art.**

Morris (U.S. Patent Publ. 2001/0034662):

The Morris reference describes a method for selling debt accounts to one or more potential buyers using a computer network. A computer readable database includes data relating to multiple debt accounts. The accounts are grouped into one or more lots. A potential buyer designates information used to search the computer readable database. Purchase offers are received from potential buyers for one or more of such grouped lots. These purchase offers are, in turn, communicated to the seller.

The Morris specification includes the following statement:

> "The accounts 80 will preferably be grouped into lots 78 based upon at least one correlation among the data in the data fields. The step of grouping the lots 78 preferably further includes the step of receiving from the seller at least one criterion upon which the accounts are to be grouped into lots. (e.g., by region, state or two-digit ZIP code)."

However, as noted by the Examiner on page 4 of the final Office Action, Morris does not classify bad debt items "based on the geographic territory where said debtor resides".

Brown, James J., Judgment Enforcement. 2nd Ed., Aspen Publishers, Dec. 1, 1995:

The cited legal publication by Brown relates generally to the enforcement of judgments. The Examiner has referenced, in particular, pages 1-19 and 1-20; pages 2-6, 2-7, and 2-8; and page 4-13 of Brown.

Pages 1-19 and 1-20 of Brown relate to nationwide enforcement of debts owed to the U.S. Government. At page 1-19, Brown notes that the Federal Debt Collection Procedures Act includes

a provision whereby a debtor who is sued in a jurisdiction that is not the district of the debtor's residence may request transfer of such proceeding to the district of the debtor's residence. Pages 1-19 and 1-20 do not relate to classification of debts, nor to the auction or sale of debts.

Pages 2-6, 2-7, and 2-8 of the Brown treatise mention investigating the "location and sufficiency of the debtor's assets and property interests"; suggest examination of "the creditor's files on the debtor to identify assets which might satisfy a judgment"; and mention other methods of discovering assets of the debtor, including a "trip to debtor's headquarters or residence and a canvassing of the general area *[to]* reveal area banks in which the debtor may have accounts."

Page 4-13 of Brown appears to relate to a provision of the debt collection laws of the State of Florida wherein a creditor who has already secured a judgment may move the court for an Order compelling the judgment debtor to appear for a debtor examination to determine what property the debtor owns. This Florida law apparently limits the scope of such an Order to an examination of the debtor "in the debtor's county of residence" after a judgment has already been obtained by a creditor against the judgment debtor.

Rivkin, et al., Financial & Cross-Borders Litigation, International Financial Law Review, Euromoney Publications, July 1994:

The Rivkin article was applied by the Examiner in the final Office Action, in combination with Morris and Brown, against claims 6, 11 and 19. Rivkin states that the "most common means of enforcing a judgment is by requesting that a court with jurisdiction issue a writ of execution or similar order." The Rivkin article states that "the real property, equipment, fixtures, and personal property of a judgment debtor are seized by law enforcement officers and then sold at a judicially

supervised public auction." Rivkin discusses the concept of personal jurisdiction by a court over a debtor. Rivkin does not discuss the residence of the debtor, but only the location of assets owned by a debtor against whom a judgment has already been obtained.

Keyes (U.S. Pat. No. 6,456,983):

The Keyes patent was applied by the Examiner in the final Office Action, in combination with Morris and Brown, against claims 8, 13-15, and 22. The Examiner concedes in the Office Action that Morris does not teach the association of rating information (indicative of the potential for collection of the bad debt from the debtor) with such bad debts in the Morris database. Keyes states that "delinquent accounts are scored", and that the delinquent accounts are "placed into a plurality of groups". Keyes further states that a "liquidation profile is established for each portion of the historical delinquent accounts defined by the application of the noted score clusters thereto. When an offer is made in relation to currently delinquent accounts, each of these current delinquent accounts is scored and then separated into a plurality of groups.

Atkinson (U.S. Pat. Publ. No. 2001/0021923):

The Atkinson publication was applied by the Examiner in the final Office Action, in combination with Morris and Brown, against claims 24 and 25. Atkinson discloses a system in which sellers downwardly bid against one another to achieve the lowest market price in a supplier-bidding auction, wherein two or more auctions are conducted chronologically one after another, and wherein each such auction is referred to herein as an "auction round."

B. The Examiner's Rejections:

Within the final Office Action mailed April 5, 2007, the Patent Examiner finally rejected claims 1-6, 8-11, 13-19, 21-25, 28-38, 40-45, 47, 50 and 55-64 under Section 103(a).

The Examiner rejected claims 1-5, 9-10, 16-18, 21, 23, 28-38, 40-45, 47, 50 and 55-64 (which includes all of the independent claims) under Section 103(a) based upon Morris and Brown.

The Examiner rejected dependent claims 6, 11, and 19 under Section 103(a) based upon Morris and Brown in view of Rivkin. The Examiner relies upon Rivkin as teaching the alleged obviousness of modifying Morris and Brown to further define geographic territories in which courts have personal jurisdiction over the debtor.

The Examiner rejected dependent claims 8, 13-15, and 22 under Section 103(a) based upon Morris and Brown in view of Keyes. The Examiner relies upon Keyes as teaching the alleged obviousness of rating, or scoring, each of the debts being auctioned by Morris based upon the potential for collecting the bad debt from the debtor.

Finally, the Examiner rejected dependent claims 24 and 25 under Section 103(a) based upon Morris and Brown in view of Atkinson. The Examiner relies upon Atkinson as allegedly suggesting the modification of Morris to use bidding intervals, or "auction rounds".

C. The Cited Patents Do Not Render Obvious the Appealed Claims:

Claim 1: As noted above, claim 1 is directed to a method of auctioning bad debts to a plurality of clients which includes the steps of placing select information relating to at least one bad debt on an online auction forum; the select information includes one or more distinct bad debt items to be displayed on a bidding site of the online auction forum. These one or more bad debt

items are included in a computer database. The bidding site is established on the online auction forum, and is associated with the database. Each of the one or more bad debt items is classified based on a geographic territory where the related debtor resides. The method of claim 1 includes the step of displaying each of the one or more bad debt items on the bidding site in accordance with the geographic territory(or territories) where the debtor(s) reside.

Within the final Office Action, the Patent Examiner concedes that Morris does not classify bad debt items based upon the debtor's residence; see pages 4 and 30 of the final Office Action. Accordingly, the Examiner argues that it would have been obvious to those skilled in the art, based upon the cited Brown article, to modify the system disclosed by Morris to classify bad debt items based upon the debtor's residence. However, as will be shown below, the prior art relied upon by the Examiner does not teach or suggest the proposed modification.

The Examiner states, at page 30 of the final Office Action, that "Morris is geared toward the sale of bad debt items to purchasers so as to allow said purchasers to collect upon such bad debt items and, ultimately, the legal process of collecting must be considered." In support of such position, the Examiner refers to that portion of the Morris specification which states: "[t]his database 50 also provide *[sic]* support service after each transaction such as returning accounts and legal media supporting the legal process of debt collection." This passing reference in Morris to "legal media supporting the legal process of debt collection" suggests, at best, that articles about debt collection might be included in the Morris' database as a service to subscribers; it has nothing to do with establishing how debt items are classified and/or displayed to potential purchasers for purposes of auction or bidding.

The Examiner contends (see page 31 of the final Office Action) that the "geographic region in which the debtor resides is a key component of the collection and judgment enforcement process"; the Examiner's sole support of such contention is the cited Brown publication (specifically, page 1-19; page 1-20; page 2-6; page 2-7; page 2-8; and page 4-13). However, an examination of the portions of Brown relied upon by the Examiner shows that, in fact, Brown does not suggest that the debtor's residence is a "key component" of the collection and judgment enforcement process.

Pages 1-19 and 1-20 of Brown relate to nationwide enforcement of debts owed to the U.S. Government. The only reference to the debtor's residence on pages 1-19 and 1-20 relates to a discussion of the Federal Debt Collection Procedures Act; here, Brown discusses a provision of such Act whereby a debtor sued in a foreign jurisdiction, distant from the debtor's residence, may request transfer of such proceeding to the district of the debtor's residence. This provision of the law is clearly for the debtor's convenience[7], and is unrelated to the ease of collecting the debt from the perspective of a party seeking collection. Accordingly, pages 1-19 and 1-20 of Brown, regarding a judgment debtor's ability to transfer an enforcement action to the debtor's district of residence, does not suggest the classification of auctioned debts according to the debtor's residence.

Page 2-6 of the Brown treatise is directed to collection of judgments, and advises "a determination of the location and sufficiency of the debtor's assets and property interests." Page 2-6 of Brown further states that "one should consider examining the creditor's files on the debtor to

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[7] As Brown notes, at page 1-19, "[a] provision for transferring the action or proceeding to the district of the debtor's residence - in response to a timely request of the debtor - safeguards debtor interest."

identify assets which might satisfy a judgment." The Examiner, at page 4 of the final Office Action, refers to Brown's discussion of the "debtor's files" on pages 2-7 and 2-8 of Brown. However, pages 2-7 and 2-8 of Brown appear to again focus upon the location of debtor assets. Finally, page 4-13 of Brown discusses Florida law concerning debtor examinations, again for the purpose of determining what property the debtor owns. Thus, even if these pages of Brown were to suggest classification of bad debts according to location of the debtor's assets (which Applicant does not concede), they certainly do not suggest the classification of bad debts according to the residence of the debtor.

Nowhere in Brown is it expressly stated, or even suggested, that a debtor's assets are primarily located in the territory where the debtor resides, nor that successful collection of the debt depends upon the presence of assets located in the geographic territory where the debtor resides. On the contrary, Brown merely urges a judgment creditor to conduct an investigation of where the debtor's assets are located for the purpose of determining viability of collection, as well as preventing the debtor from hiding assets.

Brown's emphasis upon the location of the debtor's assets (rather than the location of the debtor) makes perfectly good sense. Often, the debtor's assets are located in a territory that is remote from the location of the debtor. In many instances, successful collection of a debt involves seizure and sale of asset(s) in the territory where such assets are located. Thus, at best, Brown might suggest analyzing debt items based upon the geographic territory where debtor assets are located, but not based upon the place where the debtor happens to reside.

Thus, when viewed from the perspective of a potential purchaser of a debt item, the portions of Brown relied upon by the Examiner simply do not teach or suggest that the geographic region in

which the debtor resides is a "key component" of the collection and judgment enforcement process, as argued by the Examiner. Brown does not suggest the use of the debtor's residence as a marketing tool for selling bad debt items.

Moreover, the system disclosed by Morris is concerned with the sale of bad debt accounts, not the sale of legal judgments already obtained against debtors. On the other hand, the Brown publication is directed to the collection of debts reduced to judgments. Thus, Brown would not suggest any modification of the sales method disclosed by Morris for selling bad debt accounts, let alone, the modification proposed by the Examiner to classify debt accounts in accordance with the residence of each debtor. Even were it considered obvious to combine the cited Brown treatise with the Morris reference, the proposed combination would not result in any classification of bad debt accounts in accordance with the residence of the respective debtor, as called for by claim 1.

Morris discloses that the value of debt accounts may depend, in part, on "the geographic origin of the accounts (e.g., country, region, state, city, zip code, etc.)". Were one skilled in the art instructed to modify the system disclosed by Morris in accordance with the portions of the Brown disclosure relied upon by the Examiner, the resulting system would, at best, offer to categorize debts online based upon the "geographic origin of the accounts", with supplemental information indicating locations where the respective debtor has assets. As noted above, the location of the debtor's assets and the location of the debtor are two different things; categorizing debt items in accordance with the location of debtor assets does not equate to categorization of such debt items in accordance with the debtor's residence. The method recited by claim 1 allows a potential purchaser to view debt items relating to debtors known to reside in the same geographical territory as that of the potential purchaser. Thus, even when combined, Brown and Morris do not teach or suggest a

marketing method which categorizes bad debts based on the territory where the debtor resides, as recited in claim 1.

The Examiner may not apply hindsight knowledge, gained from Applicant's disclosure, to fashion a combination of prior art references that purportedly support an obviousness rejection. See *In re Fritch* 23 USPQ2d 1780 (Fed. Cir. 1992) ["It is impermissible to use the claimed invention as an instruction manual or "template" to piece together the teachings of the prior art so that the claimed invention is rendered obvious. This court has previously stated that '[o]ne cannot use hindsight reconstruction to pick and choose among isolated disclosures in the prior art to deprecate the claimed invention.' "]. Accordingly, the rejection of claim 1 should be reversed.

Claim 31:

Like the method of claim 1, the system of claim 31 provides access to a bad debt item in accordance with a geographic territory where the debtor resides. Thus, claim 31 is distinguishable from Morris and Brown for the same reasons already provided above regarding claim 1.

Claim 32:

Like claim 1, method claim 32 recites a method of selling bad debts by placing select information relating to at least one bad debt on an online sales forum, and classifying such bad debt item based on a geographic territory where the debtor resides. Thus, claim 32 is distinguishable from Morris and Brown for the same reasons already provided above regarding claim 1.

Claim 33:

The computer-assisted method of offering bad debts recited by claim 33, like claim 1, allows a potential purchaser to specify a geographical location of interest, and provides the potential purchaser with information relating to a bad debt matching the geographical criteria specified by the potential purchaser. For the same reasons provided about to refute the rejection of claim 1, claim 33 should also be allowed.

Claim 38:

The computer-assisted method of offering bad debts recited by claim 38 requires compiling information relating to a plurality of bad debts, wherein the compiled information includes a geographical location wherein the corresponding debtor resides. The potential purchaser specifies at least one geographical location of interest, and the potential purchaser is provided with information relating to bad debts wherein the associated debtors reside in the geographical location specified by the potential purchaser. Claim 38 is therefore distinguishable from Morris and Brown for at least the same reasons mentioned above relative to claim 1.

Claim 45:

The computer-assisted method of offering bad debts recited by claim 45 provides information relating to bad debts, allows a potential purchaser to specify at least one geographical territory of interest, and provides the potential purchaser with information relating to at least one bad debt for which the territory in which the associated debtor resides corresponds to the geographical territory specified by the potential purchaser. Claim 45 is likewise distinguishable from Morris and Brown for at least the same reasons mentioned above relative to claim 1.

Claim 47:

Claim 47 recites a method of marketing uncollected debts, including gathering debt information about a plurality of uncollected debts, including associated debtor residence information, allowing a client to specify a geographic territory of interest, and providing the client with information relating to at least one uncollected debt for which the corresponding debtor resides within the geographic territory specified by the client. Accordingly, Claim 47 is likewise distinguishable from Morris and Brown for at least the same reasons mentioned above relative to claim 1.

Claim 55:

Claim 55 recites a method of offering bad debts for sale, including compiling a plurality of bad debts, allowing a remote client to select at least one geographic territory, and providing the remote client with information relating to at least one bad debt for which the associated debtor resides within the geographic territory selected by the remote client. Claim 55 is therefore distinguishable from Morris and Brown for at least the same reasons mentioned above relative to claim 1.

Claims 3, 34, 38, 47, 55, 62, 63, and 64:

Claims 3, 34, 38, 47, 55, 62, 63, and 64 all relate to providing the potential purchaser with information relating to a plurality of bad debts for which the associated debtor(s) reside in the geographical territory specified by the potential purchaser. The ability to group two or more bad debts together may serve to lessen the risks of collection. As described in Applicant's specification

(see p.17, lines 12-26; and p.18, lines 1-9), a debt of relatively low value, say $250, may be perfectly collectable, and yet still be unattractive to a potential purchaser due to its low value; a potential purchaser would likely be reluctant to initiate collection efforts upon only one low valued debt, since such collection efforts would take more time and resources then are worthwhile.

On the other hand, by way of example, if one or more of such lower value debts are combined with other debts in a package, and all of the respective debtors reside in the same geographic territory as the potential purchaser, then the package of such debts may now become very desirable. The Examiner's remarks regarding general legal procedures for collecting debts do not directly translate into online marketing strategies for auctions/sales of bad debts. Classifying multiple debt items in accordance with the residence of the respective debtor(s) is a marketing strategy that makes lower-valued debts more appealing to potential purchasers.

Claims 6, 11, and 19:

The Examiner rejected dependent claims 6, 11, and 19 under Section 103(a) based upon Morris and Brown in view of Rivkin. Claim 6 depends from claim 1 but adds that the "select information relating to said bad debt item includes the geographic territories in which jurisdiction is present over said debtor." Claim 11 depends from claim 3 but adds that the "select information relating to each of said bad debts in said lot package includes the geographic territories in which jurisdiction is present over said debtor." Claim 19 depends from claim 4 but adds that the "select information relating to said apportioned bad debt includes the geographic territories in which jurisdiction is present over said debtor." In each case, claims 6, 11 and 19 include the features of

claim 1 already discussed above. In addition, each such claim recites that the "select information" relating to the bad debt item (or bad debts, or apportioned bad debt) also includes geographic territories in which jurisdiction is present over the debtor. Thus, the select information in each such case includes not only geographical information relating to the debtor's residence, but also geographical information relating to territories wherein jurisdiction is present over the debtor.

As noted above, the Examiner relies upon Rivkin as teaching the alleged obviousness of modifying Morris and Brown to further define geographic territories in which courts have personal jurisdiction over the debtor. The Examiner notes that Rivkin teaches that "the real property, equipment, fixtures, and personal property of a judgment debtor are seized by law enforcement officers and then sold at a judicially supervised public auction." In this regard, however, Rivkin is addressing the location of assets owned by a debtor against whom a judgment has already been obtained, rather than the residence of a debtor against whom a judgment has yet to be obtained. Thus, Rivkin does not suggest modification of the Morris debt auction disclosure either to categorize debt items in accordance with the residence of each of the various debtors, or to display jurisdictional information about each debtor. Indeed, it would not be obvious to combine Rivkin with Morris. Rivkin's discussion of writs of execution is directed to the enforcement of a "judgment", which presupposes that a judgment has already been obtained against the debtor. In contrast, the Morris disclosure is directed to marketing of debts that have not yet been reduced to a judgment.

Furthermore, Rivkin refers to a jurisdiction in which the judgment debtor has "real property, equipment, fixtures and personal property", rather than a geographical territory in which the debtor himself is subject to personal jurisdiction; see Rivkin, "Seizure and Sale", second sentence. Hence,

the Rivkin disclosure does not suggest modification of Morris to display and/or categorize information relating to geographic territories in which jurisdiction is present over the debtor (as opposed to jurisdiction over the debtor's assets).

Claims 8, 13-15, and 22:

The Examiner rejected dependent claims 8, 13-15, and 22 under Section 103(a) based upon Morris and Brown in view of Keyes. However, since all of these claims depend directly or indirectly from claim 1, and because the subject matter recited by claim 1 is patentably distinguishable from Morris and Brown, for the reasons explained above, claims 24 and 25 are also necessarily patentable.

Claims 24 and 25:

The Examiner finally rejected claims 24 and 25 (claim 24 depends from claim 1, and claim 25 depends on claim 24) under Section 103(a) based upon Morris and Brown, as discussed above, in view of Atkinson.

Claim 24 depends from claim 1; since the subject matter recited by claim 1 is patentably distinguishable from Morris and Brown, for the reasons explained above, claims 24 and 25 are also necessarily patentable. In addition, claim 24 recites that the "online auction is conducted utilizing consecutive and concurrent bidding phase intervals, each of said bidding phase intervals enduring for a predetermined time period." The Examiner relies upon Atkinson as allegedly disclosing the feature of conducting an online auction " utilizing consecutive and concurrent bidding phase intervals". However, this is not so. Atkinson states (at page 1, Paragraph 0012):

> "Therefore, supplier-bidding auctions for products and services defined by a buyer have been developed. The assignee of the present application has developed a system in which sellers downwardly bid against one another to achieve the lowest market price in a supplier-bidding auction. In such auctions, various goods or services may simultaneously be placed for auction. In certain situations, however, there is a need to provide two or more auctions falling chronologically one after another. Each such auction falling in chronological order is referred to herein as an 'auction round.' "

While Atkinson does suggest the concept of "auction rounds", the above-quoted language does not suggest concurrent bidding phase intervals, as recited in claim 24. Merely stating that "various goods or services may simultaneously be placed for auction" does not necessarily mean that more than one auction is being conducted at the same time. This language may just as easily be construed to mean that the "various goods or services" are simultaneously being placed for auction as a single auction, i.e., that those submitting bids are offering to supply all of the various goods and/or services that are the subject of the single auction, for a lumped price. This construction is indeed reasonable, given that Atkinson seems to contrast such a simultaneous auction with two or more sequential auctions. Accordingly, Atkinson does not suggest the modification of the Morris auction system to provide the method recited by claim 24.

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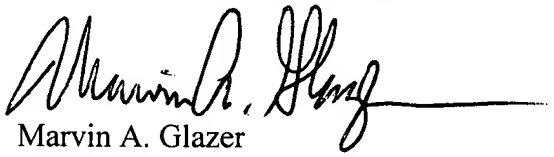
8. Conclusion:

Accordingly, Appellant submits that the appealed claims define subject matter that is patentably distinguishable over the applied prior art, and requests the Board to reverse the Examiner's rejection of the appealed claims.

Respectfully submitted,

CAHILL, VON HELLENS & GLAZER P.L.C.



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CLAIMS APPENDIX (Claims Involved In The Appeal)

1. A method of auctioning bad debts to a plurality of clients, said method comprising the steps of:

placing select information relating to at least one bad debt on an online auction forum, said select information comprising at least one distinct bad debt item to be displayed on a bidding site of said online auction forum;

establishing at least one bidding site on said online auction forum, said bidding site being associated with a database, said database including said bad debt item;

classifying said bad debt item based on a geographic territory where said debtor resides;

displaying said bad debt item on said bidding site in accordance with said geographic territory.

2. The method of Claim 1, further comprising the step of:

requiring a client to select at least one geographic territory, said geographic territory being associated with a debtor who resides within said selected geographic territory.

3. The method of Claim 1, wherein said bad debt item is a lot package that includes a pre-grouped assortment of select information relating to at least two bad debts, wherein each bad debt has a debtor, each of said debtors residing within a geographic territory that is common to all of said debtors in said lot package, said lot package to be displayed as a distinct bad debt item on said bidding site of said online auction forum.

4. The method of Claim 1, wherein said bad debt item is an apportioned bad debt containing select information relating to a particular bad debt, said apportioned bad debt comprising a fractional portion of the monetary value of the whole of said bad debt and is to be displayed as a distinct bad debt item on said bidding site of said online auction forum.

5. The method of Claim 1, wherein said select information relating to said bad debt item includes the uncollected monetary value of said bad debt.

6. The method of Claim 1, wherein said select information relating to said bad debt item includes the geographic territories in which jurisdiction is present over said debtor .

7. Canceled.

8. The method of Claim 1, wherein said select information relating to said bad debt item includes rating information that is related to the potential for collection of said bad debt item from said debtor.

9. The method of Claim 1, wherein said select information relating to said bad debt item includes a predetermined minimum bid request amount, said online auction forum not to accept a bid for said bad debt item that is below said predetermined minimum bid request amount set for said same bad debt item.

10. The method of Claim 3, wherein said select information relating to each of said bad debts in said lot package includes the uncollected monetary value of said bad debt.

11. The method of Claim 3, wherein said select information relating to each of said bad debts in said lot package includes the geographic territories in which jurisdiction is present over said debtor.

12. Canceled.

13. The method of Claim 3, wherein said select information relating to each of said bad debts in said lot package includes rating information that is related to the potential for collection of said bad debt from said debtor.

14. The method of Claim 3, wherein said select information relating to said bad debts in said lot package includes rating information that is related to the potential for collection of all of said bad debts included in said lot package.

15. The method of Claim 14, wherein said rating information is based on an average of the total sum of a rating figure of each of said bad debts included in said lot package.

16. The method of Claim 3, wherein said select information relating to said lot package includes a predetermined minimum bid request amount, said online auction forum not to accept a bid for

said lot package that is below said predetermined minimum bid request amount set for said same lot package.

17. The method of Claim 4, wherein said select information relating to said apportioned bad debt includes the uncollected monetary value of the apportioned fraction of said bad debt.

18. The method of Claim 4, wherein said select information relating to said apportioned bad debt includes the uncollected monetary value of the whole of said bad debt from which said apportioned bad debt was taken.

19. The method of Claim 4, wherein said select information relating to said apportioned bad debt includes the geographic territories in which jurisdiction is present over said debtor.

20. Canceled.

21. The method of Claim 4, wherein said select information relating to said apportioned bad debt includes the fractional share that was apportioned from the whole of said bad debt.

22. The method of Claim 4, wherein said select information relating to said apportioned bad debt includes rating information that is related to the potential for collection of said apportioned bad debt from said debtor.

23. The method of Claim 4, wherein said select information relating to said apportioned bad debt includes a predetermined minimum bid request amount, said online auction forum not to accept a bid for said apportioned bad debt that is below said predetermined minimum bid request amount set for said same apportioned bad debt.

24. The method of Claim 1, wherein said online auction is conducted utilizing consecutive and concurrent bidding phase intervals, each of said bidding phase intervals enduring for a predetermined time period.

25. The method of Claim 24, wherein any said bad debt item that receives a bidding price equal to or above its predetermined minimum bid request amount at the end of said bidding phase interval will be classified into a purchased items database of said online auction forum.

26. Canceled.

27. Canceled.

28. The method of Claim 1, wherein said bad debt item is selected from said database for display on said bidding site on the basis of its numerical positioning in relation to other said bad debt items contained in said same database.

29. The method of Claim 1, wherein said bad debt item is selected from said database for display

on said bidding site on the basis of a random selection process, said random selection process occurring irrespective of the numerical positioning of any said bad debt item contained in said same database.

30. The method of Claim 1, wherein said bad debt item is selected from said database for display on said bidding site on the basis of an order preference of personnel managing said online auction forum.

31. A system for selling bad debts, said system comprising:

(a) a remote host system connected to a communications network ,said remote host system including:

(i) a central processing element for processing data;

(ii) a data storage element for storing data; and

(iii) software installed for execution on the central processing element and having a database that is associated with at least one sales site module ,said database including at least one bad debt item, said bad debt item being accessible on said associated sales site module in accordance with a geographic territory where said debtor resides, said software configured to run multiple, concurrent, and distinct client sessions on said remote host system; and

(b) an interface element for providing public access to said software, wherein a plurality of clients may each participate in an online session of said software, running on said remote host

system, from client systems connected to said communications network, and wherein each of said plurality of clients may be able to purchase said bad debt item available for sale on said associated sales site.

32. A method of outright selling bad debts, said method comprising the steps of:

placing select information relating to at least one bad debt on an online sales forum, said select information comprising at least one distinct bad debt item to be displayed on a sales site of said online sales forum;

establishing at least one sales site on said online sales forum, said sales site being associated with a database , said database including said bad debt item;

classifying said bad debt item based on a geographic territory where said debtor resides; and

displaying said bad debt item on said sales site in accordance with said geographic territory.

33. A computer-assisted method of offering bad debts for sale comprising:

compiling information relating to at least one bad debt, said bad debt being associated with a debtor, the compiled information including a geographical location wherein said associated debtor resides;

storing compiled information relating to said at least one bad debt in a computerized database;

allowing a potential purchaser of bad debts to specify at least one geographical location of interest;

locating bad debts stored in the computerized database for which the geographical location specified by the potential purchaser corresponds with the stored geographical location wherein said associated debtor resides; and

providing the potential purchaser with information from the computerized database relating to a bad debt for which the stored geographical location wherein jurisdiction is present over the associated debtor corresponds to the geographical location specified by the potential purchaser.

34. The method of claim 33, further comprising:

providing the potential purchaser with information compiled in the computerized database relating to a plurality of bad debts for which the stored geographical location wherein the associated debtors reside corresponds to the geographical location specified by the potential purchaser.

35. The method of claim 33, wherein the information provided to the potential purchaser in the providing step relates to an apportioned bad debt, said apportioned bad debt comprising a fractional portion of the monetary value of the whole of said bad debt.

36. The method of claim 33, wherein said potential purchaser purchases the bad debt.

37. The method of claim 36, wherein said purchase is internet-based.

38. A computer-assisted method of offering bad debts for sale comprising:

compiling information relating to a plurality of bad debts, each of said bad debts being associated with a corresponding debtor, the compiled information including a geographical location wherein said corresponding debtor resides;

storing compiled information relating to said plurality of bad debts in a computerized database;

allowing a potential purchaser of bad debts to specify at least one geographical location of interest;

locating bad debts stored in the computerized database for which the geographical location specified by the potential purchaser corresponds with the stored geographical location wherein the associated debtor resides; and

providing the potential purchaser with information from the computerized database relating to a plurality of bad debts grouped as a package, each of the packaged bad debts having a stored geographical location wherein the associated debtors reside corresponding to the geographical location specified by the potential purchaser.

39. Canceled.

40. The method of claim 38, wherein at least one of said bad debts in the packaged group of bad debts is an apportioned bad debt, said apportioned bad debt comprising a fractional portion of the monetary value of the whole of said bad debt.

41. The method of claim 38, wherein said potential purchaser purchases the packaged group of

bad debts.

42. The method of claim 41, wherein said purchase is internet-based.

43. The system of claim 31, wherein said purchase of said bad debt item is conducted via an auction process.

44. The system of claim 31, wherein said software further includes a purchased items database, said bad debt item classified into said purchased items database subsequent to being sold.

45. A computer-assisted method of offering bad debts for sale comprising:

providing a computerized database containing information relating to a plurality of bad debts, each bad debt having at least one debtor associated therewith, the computerized database including geographical information, for each associated debtor, indicating at least one territory wherein said associated debtor resides; and

allowing a potential purchaser of bad debts to specify at least one geographical territory of interest;

locating bad debts stored in the computerized database for which the geographical territory specified by the potential purchaser corresponds with the territory wherein the associated debtor resides; and

providing the potential purchaser with information contained in the computerized database relating to at least one bad debt for which the territory wherein the associated debtor resides corresponds to the geographical territory specified by the potential purchaser.

46. Canceled.

47. A method of marketing uncollected debts, each of such uncollected debts being associated with a corresponding debtor, and each such debtor residing in one or more geographic territories, said method comprising the steps of:

a. gathering debt information about a plurality of uncollected debts, each of said plurality of uncollected debts being associated with a debtor;

b. gathering debtor residence information regarding geographic territories in which the debtor associated with each of such uncollected debts resides;

c. storing the gathered debt information and gathered debtor residence information in a computer storage element;

d. allowing a client to specify a geographic territory of interest; and

e. providing said client with information from said computer storage element relating to at least one uncollected debt for which the corresponding debtor resides within the geographic territory specified by the client.

48. Canceled.

49. Canceled.

50. The method recited by claim 47 wherein said client purchases said at least one uncollected debt.

51. Canceled.

52. Canceled.

53. Canceled.

54. Canceled.

55. A method of offering bad debts for sale comprising:

a) compiling a plurality of bad debts, each of said bad debts being associated with a debtor, wherein each of said debtors resides within at least one geographic territory;

b) providing select information pertaining to at least one of said bad debts to a remote host web site connected to a communications network;

c) allowing a remote client to access said host web site over a communications network;

d) allowing said client to select at least one geographic territory; and

e) providing the remote client with information relating to at least one bad debt for which the associated debtor resides within the geographic territory selected by the remote client.

56. The method as in claim 55, wherein said method includes an auction of said at least one bad debt.

57. The system recited in claim 31 wherein said software further includes at least one sales site module.

58. The method of claim 36, wherein said potential purchaser purchases the bad debt via an outright sale.

59. The method of claim 41, wherein said potential purchaser purchases the packaged group of bad debts via an outright sale.

60. The system of claim 31, wherein said purchase of said bad debt item is conducted via an outright sale.

61. The method of claim 55, wherein said remote client purchases at least one of said bad debts.

62. The method of claim 45, further comprising:

providing the potential purchaser with information compiled in the computerized database relating to a plurality of bad debts for which the stored geographical location wherein the associated debtors reside corresponds to the geographical territory specified by the potential purchaser.

63. The method of claim 47, further comprising:

providing the client with information stored in the computer storage element relating to a plurality of uncollected debts for which the stored debtor residence information regarding geographic territories in which the debtor associated with each of such uncollected debts resides corresponds to the geographical territory specified by the client.

64. The method of claim 55, further comprising:

providing the remote client with compiled information relating to a plurality of bad debts for which the geographic territory wherein the associated debtors reside corresponds to the geographical territory selected by said client.

EVIDENCE APPENDIX

In regard to this Appeal, Appellant does not rely upon any evidence submitted pursuant to 37 C.F.R. §§ 1.130, 1.131 or 1.132.

RELATED PROCEEDINGS APPENDIX

Appellant is not aware of any related appeals, interferences or judicial proceedings.